

Nebraska City  
**A G E N D A**  
**City Council Meeting**  
June 20, 2016 - 6:00 p.m.  
**Call to Order**

"I am required by law to inform the public that a copy of the Open Meetings Act is posted on the bulletin board to your right. This meeting is being recorded. If you wish to speak, come to the podium, state your name and address and speak directly towards the microphone the entire time you are addressing the governing body. Thank you."

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**

**CONSENT**

3. Approve [minutes](#) from the June 6, 2016 City Council Meeting
4. Accepting the report of new claims against the City and approving disposition of claims set for the period of June 7, 2016 to June 20, 2016
5. Approve Tyson Hermann/[Bing's Sports Bar SDL](#) and use of the Sunken Parking lot for Applejack Beer Garden on Sep 17, 2016.
6. Approve the application for [Electricians Registration](#) to Work for Empire Electric, Inc.
7. Approve the application for [Master Plumbers](#) and Drain Layers License for Bryan R. Kennedy of 3145 South 44th Street Lincoln, NE 68506.

**MAYOR'S APPOINTMENTS**

8. Appointment of Brooke Chaney to the Library Board.

**REPORTS**

9. Treasurer's Report
10. City Administrator Report
11. Acknowledge receipt of Utility Financial Report for period ending April 30, 2016
12. Acknowledge receipt of Utility Claims for period ending May 31, 2016

**NEW BUSINESS**

13. Discussion/Action on 5th Terrace & 4th Rue [vacating right-of-way](#).
14. Consideration of [appeal by Sam O'Neal](#) over a ruling or order of the City Tree Board.
15. Discussion/action regarding use of a field at the softball complex for a [benefit flag football event](#) for Jerry Strong.
16. Discussion/action to approve [Resolution 2707-16](#) Representative and/or Alternate Representative to MEAN Management Committee and Director and/or Alternate Director to MEAN Board of Directors.
17. Discussion/action regarding recommendation from the Board of Public Works to [approve awarding bid to West Con](#) for installation of pipeline valve modifications and two "Smart Pig Launching Stations."
18. Discussion/action on [Resolution 2708-16](#) to confirm prior approval of a \$12,500 rural business development grant from the USDA rural development grant program for the Memorial Building renovation planning.
19. Discussion on the [Emerald Ash Borer](#).
20. Discussion/action to direct SENDD and City Administrator to pursue [completion of the NDED Comprehensive Development Application](#).
21. Discussion on Fiscal Year 2016/2017 Budget and action to set first special budget meeting.

**ADJOURNMENT**

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City  
CITY OF NEBRASKA CITY, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
June 6, 2016

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Nebraska City was conducted in the William F. Davis Room at City Hall, 1409 Central Avenue, on June 6, 2016. Notice of the meeting was given in advance thereof by posting in at least three public places, the designated method for giving notice, as shown by the Certificate of Posting Notice attached to these minutes. Availability of the agenda was communicated in advance to the media, Mayor and Commissioners of this proceeding and said meeting was open to the public.

Mayor Bequette called the meeting to order at 6:00 p.m. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held. Mayor Bryan Bequette then led in the Pledge of Allegiance. Upon roll call the following answered present: Jeff Crunk, Vic Johns, Gloria Glover and Mayor Bequette. Absent: Jim Stark. The following City Officials were present: City Administrator Grayson Path, City Clerk-Treasurer Randy Dunster, City Attorney David Partsch, Library Director Rasmus Thøgersen, Fire Chief Alan Viox and Chief of Police David Lacy.

Mayor Bequette moved to approve the following consent items:

Accepting the report of new claims against the City and approving disposition of claims set for the period of May 17, 2016 to June 6, 2016

Approve the MT Hospitality, LLC SDL for June 25, 2016 from 4:30PM – 1:00AM with an alternate date of June 26, 2016 to be held at Larson Motors Inc. 1801 Frontage Road Nebraska City, NE.

Approve NCTC use of the Sunken parking lot and use of the public restrooms from 8-10:30pm each Saturday evening from July 11th – August 6th 2016 for the Summer Saturday Film Series.

Approve the NCTC date change on a previously approved date for Lemon Days July 9th to move the date of the sidewalk sale only to June 28-30, 2016.

Approve the Applejack Car Show parking for the River City Classic Car Club September 18, 2016 as submitted.

Motion seconded by Commissioner Johns. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

CLAIMS LIST					
June 6, 2016					
ACCO	Chem	470.65	Larson Motors	Rep	3,058.72
Action Technology	Contr	400.00	Loveland Grass Pad	Chem	109.75
Adkins Signs	Rep	50.00	Matheson Tri-Gas, Inc.	Sup	203.34
ADT Security	Contr	602.04	MD Aquatics, LLP	Chem	1,178.00
Alfred Benesch & Co	Constr	14,625.16	Mead Lumber	Maint	19.45
American Recycling	Contr	237.00	Mercer's Do-It-Best	Sup	972.79
Anderson Auto	Rep	906.95	Meredith, M.	Fine Arts	20.00
Arbor Mart, Inc	Fuel	3,112.42	Midwest Farmers	Chem	44.55
Arbor Outdoor Power	Rep	94.71	Midwest Serv & Sales	Cap. Outlays	15,000.00
AVAC	Contr	280.00	Midwest Turf and Irr	Rep	261.13
Atchison County Mail	Adv	96.00	Molly McNeely Dent.	TIF	122.86
Award Plus	Training	96.00	Mullenax Auto Supply	Rep	248.68
B.C. Meyer Constr.	Rfnd	200.00	Napa Auto Parts	Rep	303.04
Barco Municipal Prod	Signs	471.04	Nationwide	Inv	11,820.21

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Bare, Cathy	Fine Arts	80.00	NC Clerk - Treasurer	Rep	26.85
Richard D. Bennett, Jr.	Sup	8,282.13	NC Museum	Contr	2,406.25
Berry	Adv	24.69	NCU	Util	1,490.22
Boarders Inn & Suites	Training	545.00	NCTC	Contr	7,083.33
Bob's Welding Shop	Donation	20.00	NE Enviromental Prod	Rep	257.55
Bohl's Pluming	Rep	519.48	NE Health & Human Serv	Misc	40.00
Bound Tree Medical	Sup	1,908.79	NE Law Enforcement	Training	50.00
Briley, D.	Training	63.62	O'Reilly Auto Parts	Rep	184.32
Capital Business Sys	Contr	208.13	Odey's Inc.	Maint	1,430.95
Chase Bank	Bond & Int	63,678.75	Omaha Tractor, Inc.	Rep	628.77
Chase Bank	Interest	17,186.89	Orschlen's	Supp	89.45
Chase Bank	Bond & Int	49,048.75	Otoe County Clerk	Contr	5,692.70
Citizen Printing Co	Sup	90.00	Otoe Co Mutual Aid	Dues	20.00
Wildwood	Artist	1,622.91	Paper Tiger Shredding	Garagbage	35.00
Coca-Cola of Linc	Bev	1,242.51	Path, G.	Mileage	58.61
Commercial State	TIF	514.56	Payroll	Payroll	116,046.20
CompuTech Comp	Contr	250.00	PGA of America	Dues	484.00
Concrete Industries	Sup	25.80	Physicians Network	Med Exp	10.06
Consolidated Manag	Traning	298.99	Pitney Bowes	Contr	189.00
D & D Communication	Comm	675.00	PNC Equip	Lease	2,728.00
Dia, T.	Fine Arts	520.00	Quality Brands	Bev	400.10
Douglas Tire Co.	Rep	0.37	Rembolt Dev	Rfnd	200.00
Dunster, R.	Mileage	200.28	Right Choice Painting	Misc	30,000.00
Eakes	Sup	1,893.41	Adkins, R.	Rfnd	106.55
Edmisten, S.	Reim	131.02	S Systems	Rep	384.98
Eggers Brothers, Inc.	Rep	415.87	Sedlachek, D.	Rfnd	25.00
Eyman, C.	Rfnd	25.00	Shell	Fuel	1,603.94
Fareway Food	TIF	356.56	Spiral Comm.	Tele	1,036.97
Fareway Stores, Inc.	Concessions	24.15	Sysco Lincoln	Concessions	391.57
Fastenal Company	Sup	19.79	The Toolkit Group	Computer	301.00
Fire Station Sftwre	Comm	82.00	Thurman's Bike	TIF	9,367.05
First Wireless	Comm	697.00	Tielke's Sandwiches	Concessions	78.51
Gatehouse Media NE Holding	Adv	72.75	Trade Well Pallet, Inc.	Sup	1,000.00
Grimm's Gardens	Flwr/Sup	6,967.02	Tree City Tees	Uniform	14.00
Henry Motors Serv	Rep	1,175.27	Tri-State Excav.	Rep	3,100.00
Hopkins Automotive	Sup	43.56	UHC	HRA-City	385.63
Internation CC	Dues	135.00	UHC	HRA-NCU	4,608.98
JEO Consulting	CDBG	3,760.00	Unifirst Corporation	Sup	58.52
Johnny's Cycle	CDBG	11,500.00	Van Wall & Tuff	Sup	455.58
Johnson, R.	Fine Arts	20.00	Verizon Wireless	Tele	250.59
K & Z Distributing	Bev	182.65	Westlake Ace	Sup	951.70
Kreifels Electric L.L.C.	Grant	630.00	Williams, S.	Fine Arts	280.91
Kuhn, J.	Fine Arts	152.56	Windstream, Inc.	Tele	101.07
Landis Engine Comp	Rep	1,203.70	Zimco Supply Co.	Chem	5,376.70

Moved by Commissioner Glover and seconded by Johns to approve the minutes from the May 16, 2016 City Council Meeting with amended clarification to change “it” to “Verizon” in the third paragraph from the end. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

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Application to approve Tyson Hermann/Bing's Sports Bar SDL and use of the Sunken Parking lot for Applejack Beer Garden on Sep 17, 2016 was withdrawn for application corrections. Tyson Hermann and Amy Allgood spoke regarding the request and agreed to reapply with application corrections.

Council acknowledged receipt of announcement regarding the City-Wide Garage Sales Event scheduled for June 25, 2016.

Moved by Commissioner Crunk and seconded by Johns to approve the NCHS Dance Marathon Fundraiser event on July 2, 2016 from 5:00PM – 12:00AM at the high school football field for the Weekend Lunch Program. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Crunk and seconded by Glover to approve the use of Steinhart Park for a carnival June 30 – July 2, 2016 and use of the parking lot to the East of the public restrooms and the road in front of the restrooms for Jaycee's concession stand with the logistics worked out as to where we can actually have it. Amy Allgood spoke to explain the request. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Glover to approve application for Nebraska City Housing Rehabilitation Program as per application 14-08. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Crunk to approve the NCTC Nebraska City IOS/Android App for development and ask the City Attorney to draft an agreement with party. Erv Friesen, Amy Allgood and Caleb Walker spoke to describe the request. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover to move forward with Miller/Monroe Ferrell as our agency broker and proceed with bidding out city insurance. Scott and Joe Miller spoke to describe the request. Upon roll call the following voted YES: Crunk, Glover and Mayor Bequette. Abstain: Johns Voting NO: None. Motion carried.

Moved by Commissioner Crunk and seconded by Johns to approve the Aquatic Center Insurance Payment with Miller Monroe in the amount of \$2,720.00. Scott and Joe Miller spoke to describe the request. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Commissioner Johns and seconded by Glover to approve the agreement on ownership and use of ATV for the Flower Basket Program and authorize the Mayor to sign the agreement. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Johns to approve passage of Resolution 2705-16 for the Supplemental Agreement #1 to BM1119 for the 4th Corso Viaduct. Upon roll call the following voted YES: Crunk, Glover and Mayor Bequette. Abstain: Johns Voting NO: None. Motion carried. A true and correct copy of said resolution is as follows:

### **CITY OF NEBRASKA CITY RESOLUTION NO. 2705-16**

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City  
**SIGNING OF THE LPA PROGRAM AGREEMENT  
SUPPLMENTAL #1 – FEDERAL-AID FUNDING**

**Whereas:** City of Nebraska City (City) is proposing to develop and construct a transportation project for which it would like to obtain Federal funds;

**Whereas:** City understands that it must strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

**Whereas:** City and State of Nebraska, Department of Roads (State) wish to enter into an **LPA Program Agreement Supplemental #1 – Federal-Aid Funds** which will set out the various duties and funding responsibilities for the Federal-aid project; and

**Whereas:** City wishes to designate its representative for this project.

**Be It Resolved by the City Council of the City of Nebraska City that:**

The Mayor, Bryan Bequette, is hereby authorized to sign the attached **LPA Program Agreement Supplemental #1 – Federal-Aid Funds** between the City and the State.

City hereby designates **Grayson Path** to serve as City’s representative and Project Liaison (PL) with State for this project.

City of Nebraska City is committed to providing local funds for the project as required by the **LPA Program Agreement Supplemental #1 – Federal-Aid Funds**.

NDOR Project Number: URB-6217(4)

NDOR Control Number: 13159

NDOR Project Name: 4<sup>th</sup> Corso Viaduct

Adopted this 6<sup>th</sup> day of June, 2016, at Nebraska City, Nebraska.

City Council of the City of Nebraska City

Commissioners: Jim Stark, Jeff Crunk, Vic Johns, Gloria Glover, and Mayor Bryan Bequette

Commissioner \_\_\_\_\_

Moved the adoption of said resolution \_\_\_\_\_

Commissioner \_\_\_\_\_ Seconded the Motion

Roll Call: \_\_\_\_\_ Yes; \_\_\_\_\_ No; \_\_\_\_\_ Abstained; \_\_\_\_\_ Absent

Resolution adopted, signed and billed as adopted

\_\_\_\_\_  
Bryan Bequette, Mayor

Attest:

\_\_\_\_\_  
Randy Dunster, City Clerk-Treasurer

Moved by Commissioner Crunk and seconded by Johns to approve an EDRLF Administrative Assistance Contract with the Southeast Nebraska Development District. Dave Taladay and Dan Mauk spoke on behalf

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Nebraska City

of SENDD. Upon roll call the following voted YES: Crunk, Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Commissioner Crunk left at 7:19 PM.

Moved by Mayor Bequette and seconded by Johns to table the discussion to vacate right-of-way on 5th Terrace & 4th Rue until the next City Council meeting because we no longer have a quorum with a declared conflict of interest. Susan Burgman and Harvey Varenhorst spoke in favor of the request. Upon roll call the following voted YES: Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Glover for passage of Resolution 2706-16 regarding the Otoe County EMS Tax. Andrew Snodgrass spoke to describe the request. Upon roll call the following voted YES: Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried. A true and correct copy of said resolution is as follows:

RESOLUTION NO. 2706-16

WHEREAS, the City Council of the City of Nebraska City has been made aware of the possibility of the County of Otoe, State of Nebraska, enacting a county-wide EMS tax to provide EMS services using existing providers for the current EMS Districts;

AND WHEREAS, the City finds it to be in the best interests of the citizens of Nebraska City for the county-wide EMS tax and creation of partnerships between the County, the City, and the additional EMS service providers in the County to be explored;

THEREFORE, BE IT RESOLVED that the City Council expresses approval of continuing research and exploration of the creation of partnerships utilizing a potential county-wide EMS tax.

Passed and approved this 6<sup>th</sup> day of June, 2016.

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Bryan Bequette, Mayor

ATTEST:

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Randy Dunster, City Clerk-Treasurer

Erv Friesen, Rasmus Thoegersen and Amy Allgood spoke to describe the purpose of Nebraska City's 150th Anniversary Committee and invite ideas from the community.

At 7:35 PM Mayor Bequette moved for the Council to go into closed Session with the City Attorney and City Administrator for the purpose of discussion and action regarding starting pay and benefits for the new possible Construction Facility Manager. Motion was seconded by Glover. Upon roll call the following voted YES: Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

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At 7:44 PM Commissioner Johns moved for the Council to resume into Open Session and was seconded by Glover. Upon roll call the following voted YES: Johns, Glover and Mayor Bequette. Voting NO: None. Motion carried.

Moved by Mayor Bequette and seconded by Johns that given the applicant's superior qualifications, over 28 years of experience in Program and Construction Management, and employee supervision that we offer as discussed and offer at step 3. Upon roll call the following voted YES: Glover, Johns and Mayor Bequette. Voting NO: None. Motion carried.

Meeting Adjourned at 7:54 P.M.

## AFFIDAVIT

I, the undersigned City Clerk for the City of Nebraska City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Board of Commissioners, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Randy A. Dunster, City Clerk-Treasurer

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Nebraska City  
Nebraska City



City of Nebraska City

1409 Central Avenue  
Nebraska City, NE 68410-2223

HOME OF ARBOR DAY

Phone: 402-873-5515 Fax: 402-873-5685

REQUEST FOR COUNCIL AGENDA OR PUBLIC INFORMATION / RECORDS

*Your request will be reviewed and possibly scheduled for a future meeting,  
or forwarded to City Staff for appropriate action.*

Name: Tina Hermann  
Address: 1281 11th Ave  
Phone #: 402-207-2513  
Email Address: T Hermann@hotmail.com

CC: Police Dept.: ☐ Street Dept.: ☒ Park Dept.: ☐ Other: ☐

Item Title: Higher License

Explanation of Request:

Applejack parade beer curfew

Action Requested of Council:

To have SDL Approved

Will this item require the expenditure of funds? Yes: ☐ No: ☒ Estimate \$           

Council meetings are held on the 1<sup>st</sup> & 3<sup>rd</sup> Mondays of the month. All requests for inclusion on a Council Meeting Agenda must be submitted by 5 P.M. on the Tuesday preceding the Council meeting. Once a request is received, staff will review it and determine if it requires Mayor/Council action, or if the item can be handled by staff.

*\*You will be notified as to how your request will be handled as soon as possible.*

For staff use only: Action Required.

Examination of Public Records are covered under Neb. Rev. State. §84-712 or other appropriate state statutes.

Fees: \$0.25 per page

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## Nebraska City

### APPLICATION FOR SPECIAL DESIGNATED LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov)



### Special Designated License (SDL) Application Quick Checklist

#### Requirements:

- Application **MUST** include approval from the local governing body (city, village or county clerk of where the event is to be held). Contact this jurisdiction for further requirements. **EFFECTIVE MAY 1, 2015, applications will no longer be accepted without the local approval attached to the application.**
- Only 501c Non-profit organizations or Retail license holders can apply for a Special Designated License. No SDL will be issued to Retail license holders operating under a Temporary Operating Permit (TOP).
- Include \$40 fee for each day/area. Check is payable to the Nebraska Liquor Control Commission (NLCC). If you have a Catering license, there are no fees required. You may also pay online at <http://www.lcc.nebraska.gov/>
- **Applicant** is responsible for all paperwork and fees being sent to the NLCC office before the 10-day deadline. It is not the responsibility of the local governing body to send the application to the NLCC.
- When requesting alternate date(s) and/or location(s), approval from local governing body must include approval for these alternate date(s) and/or locations(s). If requesting sales on Sunday, attach copy of local ordinance or resolution.
- Application must be received in Nebraska Liquor Control Commission (NLCC) office a **MINIMUM** of ten (10) business days prior to date of event (weekends, holidays & date of event are not included in this count). **NO EXCEPTIONS!**  
\*See the calendar on our website at:  
<https://lcc.nebraska.gov/sites/lcc.nebraska.gov/files/SDL%20Calender%20JAN%202016%20-%20JAN%202017.pdf>
- When requesting an outdoor area, you must include a box-type diagram of the area to be licensed.
- Non Caterer applicants are only allowed six (6) SDLs per calendar year, this includes consecutive days used on one application (i.e. July 4 – 9 = 6 days).
- Only twelve (12) SDLs will be issued at any specific location that could otherwise hold a liquor license.

#### Non Profit Application **MUST**:

- Include page five (5) of application showing Federal ID number.
- When requesting an exemption from NLCC rules; i.e. waiver of double fencing, request must be received in (NLCC) office a **MINIMUM** of 30 days prior to the date of the event; waiving double fence must complete Form 140.

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Nebraska City

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov)

DO YOU NEED POSTERS? YES ☒ NO ☐

**NON PROFIT APPLICANTS**

(Check one that best applies)

Municipal ☐ Political ☐ Fine Arts ☐ Fraternal ☐ Religious ☐ Charitable ☐ Public Service ☐

**LIQUOR LICENSE HOLDERS**

Liquor license number and class (i.e. C-55441)

I-102374

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed: Beer ☒ Wine ☐ Distilled Spirits ☐

2. Licensee name (last, first,), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: Hermann, Tyson Bing's Sports Bar

ADDRESS: 704 Central Ave

CITY Nebraska City, NE ZIP 68410

3. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Sunkin Parking Lot

ADDRESS: 710 Central Ave CITY Nebraska City

ZIP 68410 COUNTY and COUNTY # OTDE 11

a. Is this location within the city/village limits? YES ☒ NO ☐

b. Is this location within the 150' of church, school, hospital or home  
for aged/indigent or for veterans and/or wives? YES ☒ NO ☐

c. Is this location within 300' of any university or college campus? YES ☐ NO ☒

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# Nebraska City

4. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date <u>9-17-16</u>	Date	Date	Date	Date	Date
Hours From	Hours From	Hours From	Hours From	Hours From	Hours From
To <u>11:00 AM</u>	To	To	To	To	To
<u>12:00 AM</u>					

a. Alternate date: \_\_\_\_\_

b. Alternate location: \_\_\_\_\_  
(Alternate date or location must be specified in local approval)

5. Indicate type of activity to be carried on during event:

Dance \_\_\_\_\_ Reception \_\_\_\_\_ Fund Raiser \_\_\_\_\_ Beer Garden \_\_\_\_\_ Sampling/Tasting \_\_\_\_\_

Other parade, Magical Bull

6. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** \_\_\_\_\_ x \_\_\_\_\_  
(not square feet or acres)

\*Outdoor area dimensions of area to be covered **IN FEET** 120 x 120

\***SKETCH OF OUTDOOR AREA (or attach copy of sketch) (sample sketch)**

If outdoor area, how will premises be enclosed?

\_\_\_\_ Fence; ☒ snow fence ☐ chain link ☐ cattle panel

\_\_\_\_ other \_\_\_\_\_

\_\_\_\_ Tent

7. How many attendees do you expect at event? 100

8. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

Wrist Bands

9. Will premises to be covered by license comply with all Nebraska sanitation laws? YES ☒ NO ☐

a. Are there separate toilets for both men and women? YES ☐ NO ☒

Nebraska City

10. Where will you be purchasing your alcohol?

Wholesaler ☒ Retailer \_\_\_\_\_ Both \_\_\_\_\_ BYO \_\_\_\_\_  
(includes wineries)

11. Will there be any games of chance operating during the event? YES \_\_\_ NO ☒

If so, describe activity \_\_\_\_\_

**NOTE:** Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law. There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

12. Any other information or requests for exemptions: \_\_\_\_\_

13. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor Amy Allgood

Signature of Event Supervisor [Signature]

Event Supervisor phone: Before 913.548.6514 During \_\_\_\_\_

Email address amyall@nebraskacity.com

Consent of Authorized Representative/Applicant

14. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign  
here

Tyson Hermann  
Authorized Representative/Applicant

owner  
Title

6-10-16  
Date

Tyson Hermann  
Print Name

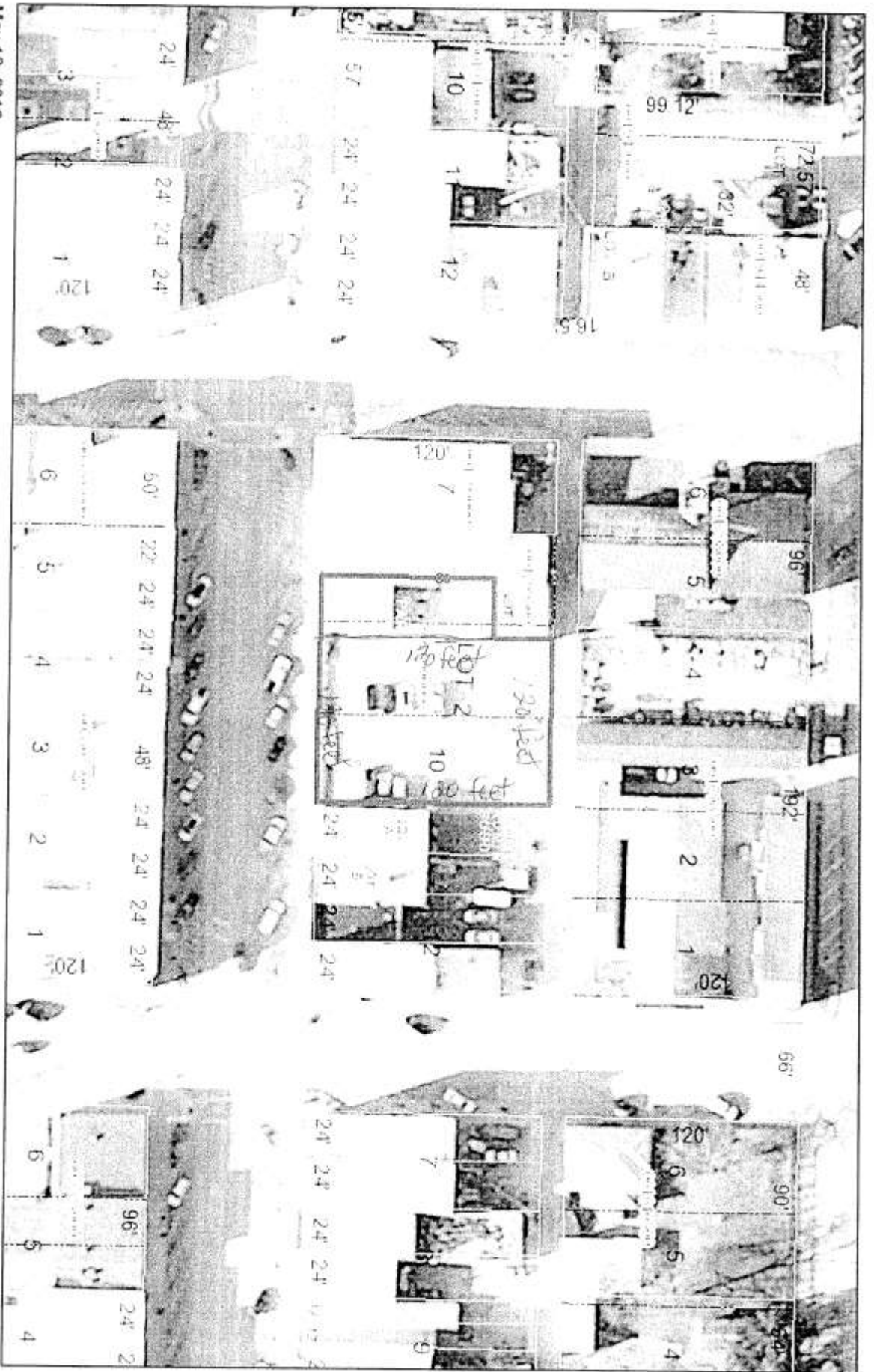
This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

# Nebraska City

May 12, 2016  
 --- Lot Lines  
 Parcels  
 Sections



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroX, GeoMapping, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

**CITY OF NEBRASKA CITY**

1409 Central Avenue

Nebraska City, Nebraska 68410-2223

(402) 873-5515

**HOME OF ARBOR DAY****APPLICATION FOR ELECTRICIANS REGISTRATION TO WORK**☐ New Application☐ Renewal Application

Application is hereby made to the City of Nebraska City, Nebraska by:

Empire Electric, Inc. Michael M. Ray 402 580 5669 Name

(Must be identical to Bond)

Telephone

1066 S. 4. Rd Douglas, Ne NE 68034

Street Address

City

State

Zip Code

to do electric wiring and preparing of buildings and structures in Nebraska City for electric current, for the year ending December 31, ~~2013~~ 2016 as provided by Chapter 14 of the Code of the City of Nebraska City.

Said applicant further shows that they are doing business in Nebraska City under the above name and that they and those to whom a license is to be granted under this application are possessed of the skill, qualifications and ability to perform all necessary services of wiring and fitting a building or structure to receive electricity with safety.

Electrical Contractors operating under this license: Michael M. Ray  
 State Electrical License Number: #12950

Journeyman Electricians requiring a Registration Certificate:

Brad Bondy  
 \_\_\_\_\_

Said applicant herewith submits a Surety Bond to the City of Nebraska City in the sum of Ten Thousand Dollars (\$10,000.00).

**FEES REMITTED WITH THIS APPLICATION:**

City of Nebraska City Master Electrician

Registration to Work License

(Copy of State License must be returned with this form) \$35.00 \$ 35.00Journeyman Electrician registration (Per Person) \$5.00 \$ 5.00**TOTAL \$** 40.00

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Empire Electric, Inc. Michael M. Ray  
 Applicant (Name must be identical to name on Bond)

By: Michael M. Ray  
 \_\_\_\_\_

\*\*\*\*\* (For City Office Use Below this Line) \*\*\*\*\*

Building Inspector

City Clerk



Nebraska City



Nationwide Mutual Insurance Company  
Bond Department  
1100 Locust Department 2006  
Des Moines, IA 50391-2006

**License and Permit Bond**

Bond No. 7900442024

KNOW ALL MEN BY THESE PRESENTS:

That we, Empire Electric, Inc Michael M. Ray,  
of Douglas, State of NE, as Principal, and Nationwide Mutual Insurance Company,  
a corporation duly licensed to do business in the State of Nebraska, as Surety, are held and firmly bound unto  
City of Nebraska City,  
State of Nebraska, Obligee, in the penal sum of Ten Thousand Dollars  
(\$ 10,000.00) DOLLARS, lawful money of the United States, to be paid to the said Obligee, for which payment  
well and truly to be made, we bind ourselves and our legal representatives, jointly and severally by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said Principal has been issued a  
license or permit described as follows: Electrical by  
the said Obligee.

NOW THEREFORE, if the said Principal shall faithfully perform the duties and in all things comply with the laws  
and ordinances, including all Amendments thereto, appertaining to the license or permit described then this  
obligation to be void, otherwise to remain in full force and effect from June 1st, 2016, until  
May 31st, 2017, unless extended by Continuation Certificate.

This bond may be terminated at any time by the Surety upon sending notice in writing, to the clerk of the Political  
Subdivision with whom this bond is filed and to the Principal, at the last known address, and at the expiration of  
thirty (30) days from the mailing of said notice, this bond shall ipso facto terminate and the Surety shall thereupon  
be relieved from any liability for any acts or omissions of the Principal subsequent to said date.

Dated this 1st day of June, 2016.

Shall save and keep harmless the City of Nebraska City  
from all loss or damage which it may sustain or for which it may become liable on account of the issuance of said  
license or permit.

Empire Electric, Inc Michael M. Ray

Empire Electric, Inc. Michael M. Ray  
Principal

Nationwide Mutual Insurance Company

By: Kathleen Hurlbut  
KATHLEEN HURLBUT, Attorney-in-Fact

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the  
protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a  
public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

# Nebraska City



## Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation  
Farmland Mutual Insurance Company, an Iowa corporation  
Nationwide Agribusiness Insurance Company, an Iowa corporation

AMCO Insurance Company, an Iowa corporation  
Allied Property and Casualty Insurance Company, an Iowa corporation  
Depositors Insurance Company, an Iowa corporation

hereinafter referred to severally as the "Company" and collectively as the "Companies," each does hereby make, constitute and appoint:

**KATHLEEN HURLBUT**

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

**Ten Thousand Dollars (\$10,000.00)**

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

**Execution of Instruments.** Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the  
13<sup>th</sup> day of February, 2014.



**Terrance Williams, President and Chief Operating Officer** of Nationwide Agribusiness Insurance Company and Farmland Mutual Insurance Company; and **Vice President** of Nationwide Mutual Insurance Company, AMCO Insurance Company, Allied Property and Casualty Insurance Company, and Depositors Insurance Company

### ACKNOWLEDGMENT

STATE OF IOWA, COUNTY OF POLK: ss

On this 13<sup>th</sup> day of February, 2014, before me came the above-named officer for the Companies aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Companies aforesaid, that the seals affixed hereto are the corporate seals of said Companies, and the said corporate seals and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Companies.

Sandy Alitz  
Notarial Seal - Iowa  
Commission Number 152785  
My Commission Expires March, 24, 2017

Notary Public  
My Commission Expires  
March 24, 2017

### CERTIFICATE

I, Robert W Horner III, Secretary of the Companies, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Terrance Williams was on the date of the execution of the foregoing power of attorney the duly elected officer of the Companies, and the corporate seals and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Secretary, and affixed the corporate seals of said Companies this 1<sup>st</sup> day

of June, 2016.

  
Secretary

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Nebraska City



NEBRASKA STATE FIRE MARSHAL  
PLANS DIVISION

Code Review



6/1/2016	M 05057-16
Rick Hawks Archi & Etc. 7021 L Street Omaha, NE 68117-	Elmwood Christian Church - Addition 311 N 5th Street Elmwood 68349-

Your items have been reviewed for compliance with the Nebraska State Fire Marshal Act.

\* Approval is conditional upon conformance with comments listed in remarks.

Final Fire Code Review

REMARKS:

Review applies to an assembly space addition. Review applies to both the new and existing areas as shown. Occupant load 275.

The on-site deputy shall determine existing conditions, additional requirements may apply beyond the scope of this code review.

1. Buildings or portions of building shall be permitted to be occupied during construction, repair, alterations or additions only where the required means of egress and required fire protection features are in place and continuously maintained for the portion occupied. NFPA 101-4.6.10.1
2. Areas under construction shall be separated from the existing building by one-hour fire rated construction. NFPA 241-8.6.2
3. ~~New exit signage shall NOT direct occupants into family room 114 or storage room 115.~~ LSC 12.2.10
4. Existing storage room 113 shall be separated by one hour fire rated construction and equipped with a 45 minute fire rated self closing door. LSC 13.3.2.1.3
5. Attic space shall be subdivided by draft stops into areas not to exceed 3000 sf. LSC 8.2.7
6. Shop drawings for the fire alarm system shall be submitted for a separate review and approval. Title 153 Ch. 21, 003.01

Return postage not provided. Plans will be held for 10 days in the Lincoln Office.

PLEASE CONTACT OFFICE INDICATED BELOW FOR A FINAL INSPECTION.  
FINAL APPROVAL IS REQUIRED PRIOR TO OCCUPANCY OR USE

SIGNED:

Jim Kenney

Reviewed By: Main Office  
246 S 14th St  
Lincoln, NE 68508-1804  
(402) 471-2027

Contact for Inspection: District A  
246 S 14th St  
Lincoln NE 68508-1804  
(402) 471-2590

Nebraska City


NEBRASKA STATE ELECTRICAL BOARD LICENSE

Issue Date: 12/10/2014 Expires: 12/31/2016

This is to certify that

**BRADFORD M BONDY**  
400 W. 2ND ST.  
PALMYRA, NE 68418


has met the requirements of the Nebraska State Electrical Act, and is a licensed  
**Electrical Contractor**

President: 

Fee Received \$250.00 License No. 21337

All licenses are subject to revocation if the licensee fails to comply with the rules and regulations of  
The State Electrical Act

NEBRASKA STATE ELECTRICAL DIVISION



**LICENSED ELECTRICIAN**

800 So. 13th St., Suite #100, Lincoln, NE 68509  
Voice (402) 471-3550 [www.electrical.nebraska.gov](http://www.electrical.nebraska.gov) Fax (402) 471-4297

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City of Nebraska City  
1409 Central Avenue  
Nebraska City, Nebraska 68410-2223  
(402) 873-5515

HOME OF ARBOR DAY

**APPLICATION FOR MASTER PLUMBERS AND DRAIN LAYERS LICENSE**

☐ New Application

☐ Renewal Application

Application is hereby made to the City of Nebraska City, Nebraska by:

Name Bryan R. Kennedy Telephone (402) 326-4864  
Street Address 3145 South 44th Street City Lincoln State NE Zip Code 68506

for a Master Plumbers and/or Drain Layers License for year ending December 31, 2016,  
as provided by Chapter 28 of the Code of the City of Nebraska City.

Said applicant has successfully met all requirements of said Code and has passed an examination as to their qualification and fitness, practical and elementary in character, to install plumbing and drain laying, make gas installations, alteration or repair work, including installation of heating equipment and appliances and air conditioning.

Said applicant further states that they are doing business in Nebraska City under the above name and that they and those to whom a license is to be granted under this application are possessed of the skill, qualifications and ability to perform all necessary services of plumbing and/or drain laying.

Master Plumbers and/or Drain Layers operating under this license: BRYAN KENNEDY

Journeyman Plumbers requiring a Registration Certificate:

Said applicant herewith submits a Surety Bond to the City of Nebraska City in the sum of Ten Thousand Dollars (\$10,000.00).

**FEES REMITTED WITH THIS APPLICATION:**

Master Plumber and/or Drain Layer License \$ 35.00

Journeyman Plumbers Registration (\$5.00 per person) \$

**TOTAL \$ 35.00**

Dated this 25<sup>th</sup> day of March 2016


Bryan R. Kennedy  
Applicant (Name must be identical to name on Bond)

By: Bryan R. Kennedy

\*\*\*\*\*  
Alan Wiley  
Building Inspector

City Clerk

Bond Approved as to form & Content by: Janet [Signature] City Attorney (If New)  
Permit # \_\_\_\_\_ Receipt # \_\_\_\_\_

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES	
<div></div> <div>Effective Date: <u>April 1st, 2016</u></div> <div><h1>Western Surety Company</h1><h2>LICENSE AND PERMIT BOND</h2></div>	
KNOW ALL PERSONS BY THESE PRESENTS:	Bond No. <u>62724671</u>
That we, <u>Bryan Kennedy DBA Kennedy Plumbing</u>	
of <u>Lincoln</u> , State of <u>Nebraska</u> , as Principal,	
and WESTERN SURETY COMPANY, a corporation duly licensed to do surety business in the State of	
<u>Nebraska</u> , as Surety, are held and firmly bound unto the	
<u>City of Nebraska City</u> , State of <u>Nebraska</u> , as Oblige, in the penal	
sum of <u>Ten Thousand and 00/100</u> DOLLARS ( <u>\$10,000.00</u> ),	
lawful money of the United States, to be paid to the Oblige, for which payment well and truly to be made,	
we bind ourselves and our legal representatives, firmly by these presents.	
THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the Principal has been	
licensed <u>Plumbing Contractor</u>	
by the Oblige.	
NOW THEREFORE, if the Principal shall faithfully perform the duties and in all things comply	
with the laws and ordinances, including all amendments thereto, pertaining to the license or permit	
applied for, then this obligation to be void, otherwise to remain in full force and effect until	
<u>April 1st</u> , <u>2017</u> , unless renewed by Continuation Certificate.	
This bond may be terminated at any time by the Surety upon sending notice in writing, by First Class	
U.S. Mail, to the Oblige and to the Principal at the address last known to the Surety, and at the expiration	
of thirty-five (35) days from the mailing of said notice, this bond shall ipso facto terminate and the Surety	
shall thereupon be relieved from any liability for any acts or omissions of the Principal subsequent to said	
date. Regardless of the number of years this bond shall continue in force, the number of claims made	
against this bond, and the number of premiums which shall be payable or paid, the Surety's total limit of	
liability shall not be cumulative from year to year or period to period, and in no event shall the Surety's total	
liability for all claims exceed the amount set forth above. Any revision of the bond amount shall not be	
cumulative.	
Dated this <u>1st</u> day of <u>April</u> , <u>2016</u> .	
<u>Kennedy Plumbing</u> Principal	
Principal	
WESTERN SURETY COMPANY	
By <u>Paul T. Bruffat</u> Paul T. Bruffat, Vice President	
Form 532-12-2015	
WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES	

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

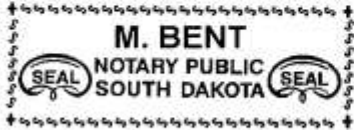
Nebraska City

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

ACKNOWLEDGMENT OF SURETY  
(Corporate Officer)

On this 1st day of April, 2016, before me, the undersigned officer, personally appeared Paul T. Bruflat, who acknowledged himself to be the aforesaid officer of WESTERN SURETY COMPANY, a corporation, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



M. Bent  
Notary Public — South Dakota

My Commission Expires March 2, 2020

ACKNOWLEDGMENT OF PRINCIPAL  
(Individual or Partners)

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

On this \_\_\_\_\_ day of \_\_\_\_\_, before me personally appeared

known to me to be the individual \_\_\_\_\_ described in and who executed the foregoing instrument and acknowledged to me that \_\_\_\_\_ he \_\_\_\_\_ executed the same.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

ACKNOWLEDGMENT OF PRINCIPAL  
(Corporate Officer)

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

On this \_\_\_\_\_ day of \_\_\_\_\_, before me personally appeared

who acknowledged himself/herself to be the \_\_\_\_\_ of \_\_\_\_\_, a corporation, and that he/she as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such officer.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public



License or Permit No. \_\_\_\_\_

LICENSE AND PERMIT  
BOND  
As

of \_\_\_\_\_

State of \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Filed \_\_\_\_\_

Approved this \_\_\_\_\_

day of \_\_\_\_\_

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Nebraska City

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,  
State of South Dakota, its regularly elected Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Plumbing Contractor City of Nebraska City

bond with bond number 62724671

for Bryan Kennedy DBA Kennedy Plumbing

as Principal in the penalty amount not to exceed: \$ 10,000.00.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its  
Vice President with the corporate seal affixed this 1st day of April,  
2016.

ATTEST

L. Nelson

L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

By

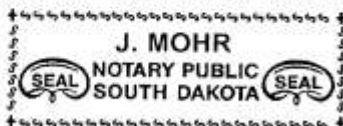
Paul T. Bruflat

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 1st day of April, 2016, before me, a Notary Public, personally appeared  
Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President  
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the  
voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021

J. Mohr

Notary Public

To validate bond authenticity, go to [www.cnasurety.com](http://www.cnasurety.com) > Owner/Obligee Services > Validate Bond Coverage.

Form F1975-1-2016



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# Nebraska City



## Transaction Report & Invoice

CNA Surety  
PO Box 957289  
St Louis, MO 63195-7289

### Principal Information: ID:

Bryan Kennedy DBA Kennedy Plumbing  
3145 S 44th St

Lincoln, NE 68506

Agency Code: 26-00252

Dick Buethe & Assoc., Inc.  
P. O. Box 22544  
Lincoln, NE 68542-2544

**YOU CAN PAY ONLINE BY VISITING [ONLINEPAY.CNASURETY.COM](http://ONLINEPAY.CNASURETY.COM)**

### Transaction Description:

Transaction Effective Date: 04/01/2016

Bond/Policy #: 62724671

Written By: Western Surety Company

Description: Plumbing Contractor City of Nebraska City

Obligee: City of Nebraska City

Effective Date: 04/01/2016  
Expiration Date: 04/01/2017  
Current Penalty: \$10,000.00  
Renewal Method:

Gross Premium Charge: \$100.00  
Commission Amount: \$30.00  
Net Amount Due: \$70.00

### Change Detail:

Agent: You may remove stub below to use as a billing/credit invoice

### CNA Surety

### INVOICE

CO. #	BOND/POLICY #	EFFECTIVE DATE	ANNIVERSARY DATE	PROCESS DATE	PENALTY
0601	62724671	04/01/2016	04/01/2017	04/01/2016	\$10,000.00
PRINCIPAL	Bryan Kennedy DBA Kennedy Plumbing 3145 S 44th St, Lincoln, NE 68506				
RISK STATE	NE WRITTEN BY Western Surety Company				
DESCRIPTION	Plumbing Contractor City of Nebraska City				
OBLIGEE	City of Nebraska City				
AGENCY CODE	\$100.00				
26-00252					

Your agent is: Dick Buethe & Assoc., Inc.  
P. O. Box 22544  
Lincoln, NE 68542-2544

Western Surety Company

0003001 02600252000004012016 00601006272467100 00000000700002

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## CITY OF NEBRASKA CITY

1409 Central Avenue  
Nebraska City, NE 68410-2223  
Phone: 402-873-5515  
Fax: 402-873-5685



### Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: June 6, 2016

Agenda Item: #20 – Survey costs on 5<sup>th</sup> Terrace & 4<sup>th</sup> Rue

Submitted By: David J. Partsch, City Attorney

**A. Synopsis of Issue:**

- a. A proposal to narrow the street ROW on 5<sup>th</sup> Terrace and 4<sup>th</sup> Rue has hit a snag because not all landowners have agreed to pay their share of the cost for a survey. Of the 10 property owners, 5 have responded "YES" that they would pay; 2 have responded "NO"; and 3 have not responded to date.

**B. Options:**

- a. Cancel the project and leave the ROW as it is.
- b. Request the other landowners split the costs of their neighboring landowner(s) who do not pay.
- c. Cover the remaining balance with City taxpayer money. Balance remaining is currently \$495.00.
- d. Cover the entire survey costs with City taxpayer money.

**C. Fiscal Note:**

- a. The survey costs are capped at \$1,000.00 max.

- D. Recommendation:** Typically when vacating ROW, the City asks the landowners benefiting from the vacating of ROW to cover the costs so that the City taxpayers as a whole are not asked to foot the bill. This would lead to a recommendation of Option (b); however, landowners may change their mind about paying when they find out some neighbors would be getting the benefit of a narrower ROW without paying their share of the costs.

**E. Background:**

The Council previously approved a request from a landowner with property at the corner of 5<sup>th</sup> Terrace & 4<sup>th</sup> Rue to vacate street ROW in order to narrow the width to be more in line with ROW in other areas of the community. Currently the ROW on 4<sup>th</sup> Rue is 100'; the ROW on 5<sup>th</sup> Terrace is 80'. The proposal would vacate a portion of both ROWs so that they would both be 45' in width. This would allow the property owners more freedom to build on their lots, because they would have more land area to allow for setbacks from the ROW. There are a total of 10 landowners in this area. They were each contacted in April and asked to provide a YES or NO response to whether they would pay their specific proportionate share of the survey costs. Five said "Yes"; 2 said "No"; and 3 did not respond. The "Yes" responses total \$505; the "No" responses total \$170; and the "not responding" total \$325.



# CITY OF NEBRASKA CITY

1409 Central Avenue

Nebraska City, NE 68410-2223

Phone: 402-873-5515

Fax: 402-873-5685



## Agenda Information Support Sheet

**To:** Mayor and Commissioners

**Council Meeting:** June 20, 2016

**Agenda Item:** # \_\_\_\_\_

**Submitted By:** Grayson Path, City Administrator  
Rob Schreiner, Tree Board

### A. Synopsis of Issue:

- a. Mr. O'Neal has made an appeal of a Tree Board decision to the City Council under City Code 33-125.1.
- b. Mr. O'Neal requested of the Tree Board that the City pay to trim trees in the City's ROW that are hanging over and/or touching his house.
- c. The Tree Board has denied this request to have the City pay for the trimming.
- d. The Tree Board attempts to maintain a policy of only trimming when there is immediate danger (33-120).

### B. Options:

- a. Uphold the Tree Board decision.
- b. Overturn the Tree Board decision and order that the City have the trees in the ROW trimmed at City cost.

### C. Fiscal Note:

- a. Tree trimming normally takes two-three employees plus equipment. Every tree is different and the amount of trimming is different. No exact cost as the amount of work to trim these trees is yet to be determined.

### D. Recommendation:

- a. City Staff have no specific recommendation as this is an appeal to the Council.
- b. This is indeed a City tree that is touching and/or overhanging a citizen's home.
- c. This will certainly create precedent all throughout the City as there are trees all over town that hang over homes, touch homes, rub against homes, drop leaves on homes/yards, etc. that the Tree Board allows the homeowner to trim at their cost, but not city cost.

### E. Background:

- a. The Tree Board, working with the Street Department, currently addresses and oversees all concerns regarding trees in the City ROW.
- b. They meet on an as-needed basis once a collection of requests have been received to determine if specific trees in the ROW need to be cut down, trimmed, or left alone.
- c. Rob Schreiner is here tonight to answer any specific questions the council has. Rob Schreiner is a certified tree arborist and works closely with the City Street Department and Tree Board to address tree issues.
- d. The Tree Board attempts to maintain a policy of only pruning and/or cutting trees that are of an immediate or potential danger in the near or not so distant future.
- e. City Code 33-112 and 33-113 gives the Tree Board the authority to create the rules and regulations they determine necessary.
- f. "Sec. 33-120. - Public tree care.

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

Nebraska City

- i. The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
  - ii. The city tree board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. This section does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of said trees is in accordance with sections [33-118](#) and [33-119](#).”
- g. The majority of Tree Board and Tree Ordinances are found under Article VII (33-109 – 33-125.2).

\*\*\*\*\*

**Department Heads:      Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.**

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**City of Nebraska City**

1409 Central Avenue  
Nebraska City, NE 68410-2223

**HOME OF ARBOR DAY**

Phone: 402-873-5515 Fax: 402-873-5685

**REQUEST FOR COUNCIL AGENDA OR PUBLIC INFORMATION / RECORDS**

*Your request will be reviewed and possibly scheduled for a future meeting,  
or forwarded to City Staff for appropriate action\**

Name: Sam O'Neal  
Address: 720 1st Ave  
Phone #: 402 209 2613  
Email Address: mmchampion@att.com

CC: Police Dept.:      Street Dept.: X Park Dept.:      Other:     

**Item Title:** trees

**Explanation of Request:** Determination of ownership/responsibility of trees in city right of way.

**Action Requested of Council:** Determine who is responsible for trees between sidewalk & street.

**Will this item require the expenditure of funds? Yes: No: Estimate \$**

Unknown

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**\*You will be notified as to how your request will be handled as soon as possible.**

**For staff use only: Action Required.**

**Examination of Public Records are covered under Neb. Rev. State. §84-712 or other appropriate state statutes.**

Fees: \$0.25 per page

## Tree Board – June 2, 2016

1. 1019 13<sup>th</sup> Ave. (Mrs. Wilberger) – Maple Tree. 873-3620
2. 1224 South 3<sup>rd</sup> (Luis Diaz) – Hackberry removal request.
3. 3<sup>rd</sup> Ave. & Park View Dr. (Mary Causgrove) – Pine Oak & Spruce Tree wants looked at.
4. 1310 1<sup>st</sup> Corso (Lori Bennett) – Wants tree removed.
5. 2107 3<sup>rd</sup> Ave. (Jeff Crunk) – Two spruce trees looked at.
6. 1222 1<sup>st</sup> Ave. (Jared Archer) – Ash tree looked at.
7. 502 6<sup>th</sup> Corso (Jerry Nuss) – Walnut tree looked at.
8. 512 S. 17<sup>th</sup> (Mrs. Bryant) – Maple tree removal request.



Nebraska City

June 10, 2016

Sam O'Neal  
720 1<sup>st</sup> Ave.  
Nebraska City, NE 68410

Dear Sam,

On Thursday, June 2, 2016, the Tree Board came to inspect tree located on your property at 720 1<sup>st</sup> Ave.

The Tree Board has denied your request that all trees be trimmed.

If you have any questions, please contact Doug Bennett, the Street Department Foreman at (402) 873-3613 or Rob Schreiner, the Tree Board Chairman at (402) 873-3353.

Sincerely,

Patty Moore  
Tree Board Secretary



**City of Nebraska City**

1409 Central Avenue  
Nebraska City, NE 68410-2223

**HOME OF ARBOR DAY**

Phone: 402-873-5515 Fax: 402-873-5685

**REQUEST FOR COUNCIL AGENDA OR PUBLIC INFORMATION / RECORDS**

*Your request will be reviewed and possibly scheduled for a future meeting,  
or forwarded to **City Staff** for appropriate action\**

Name:

Address:

Phone #:

Email Address:

Tara Berry + Brittney Osborn  
413 N. 5th St. NE City NE 68410  
402-310-6192  
bosborn2014@gmail.com

CC: Police Dept.: \_\_\_\_\_ Street Dept.: \_\_\_\_\_ Park Dept.: X Other: \_\_\_\_\_

**Item Title:**

**Explanation of Request:**

Use of a field at the softball complex  
for a benefit flag football event, for  
www.gofundme.com/Jerrystrong

**Action Requested of Council:**

**Will this item require the expenditure of funds? Yes: \_\_\_\_\_ No: \_\_\_\_\_ Estimate \$ \_\_\_\_\_**

Council meetings are held on the 1<sup>st</sup> & 3<sup>rd</sup> Mondays of the month. All requests for inclusion on a Council Meeting Agenda must be submitted by 5 P.M. on the Tuesday preceding the Council meeting. Once a request is received, staff will review it and determine if it requires Mayor/Council action, or if the item can be handled by staff.

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Fees: \$0.25 per page

Nebraska City  
**BOARD OF PUBLIC WORKS**  
NEBRASKA CITY, NEBRASKA

June 9, 2016

The Honorable Mayor and  
Members of the City Commission  
Nebraska City, Nebraska 68410

The Board of Public Works respectfully recommends the passage of a Resolution to provide for the appointment of Leroy Frana, General Manager of Nebraska City Utilities as the City's Representative to the (MEAN) Municipal Energy Agency of Nebraska Board of Directors and Dan Patton, Operations Superintendent for Nebraska City Utilities as the Alternate Director to represent the City.

Also, the Board of Public Works recommends the passage of a Resolution to provide for the appointment of Leroy Frana, General Manager of Nebraska City Utilities as the Representative to the (MEAN) Municipal Energy Agency of Nebraska Management Committee as a representative of the City of Nebraska City and Dan Patton, Operations Superintendent of Nebraska City Utilities to be appointed as the Alternate Representative to the MEAN Management Committee.

Every three years appointments to the Board of Directors and the Management Committee come due and are for a term of three years.

Respectfully submitted,

BOARD OF PUBLIC WORKS

  
\_\_\_\_\_  
John James, Secretary

I hereby certify that the approval of the City Commission of the City of Nebraska City, Nebraska, for the above recommendation was granted at their meeting on:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Randy Dunster, City Clerk/Treasurer

Nebraska City

RESOLUTION NO. 2707-16

WHEREAS, the City of Nebraska City, State of Nebraska, is a party to the Electrical Resources Pooling Agreement and, pursuant to the terms of such Agreement, it is the responsibility of the City of Nebraska City to designate a representative and alternate representative to the Municipal Energy Agency of Nebraska Management Committee provided for under the terms of said Agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Nebraska City, State of Nebraska, that:

1. The City Clerk-Treasurer is hereby directed to give written notice to the Municipal Energy Agency of Nebraska of the appointment of Leroy Frana as representative to said MEAN Management Committee and MEAN Board of Directors.
2. The City Clerk-Treasurer is hereby directed to give written notice to the Municipal Energy Agency of Nebraska of the appointment of Dan Patton as alternate representative to said MEAN Management Committee and MEAN Board of Directors.

Passed and approved this 20<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Bryan Bequette, Mayor

ATTEST:

\_\_\_\_\_  
Randy Dunster, City Clerk-Treasurer



Nebraska City

**BOARD OF PUBLIC WORKS**  
**NEBRASKA CITY, NEBRASKA**

June 9, 2016

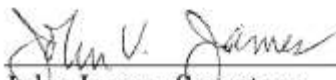
The Honorable Mayor and  
Members of the City Commission  
Nebraska City, Nebraska 68410

The Board of Public Works respectfully recommends the approval of the low bid from West Con of Independence, Missouri for installation of pipeline valve modifications at 7 locations and installation of "Smart Pig Launching Stations" at two other locations to make the 8" Natural Gas Transmission Main between Nebraska City and the Interstate Pipeline Tap Location with Natural Gas Pipeline Company of America, a Kinder Morgan Company have the ability to have internal examination by a "Smart Pigging Device". The purpose of this modification is to provide due diligence maintenance, monitoring and compliance with Federal Natural Gas Pipeline Standards.

The low bidder, West Con was the contractor that provided the 12" Natural Gas Transmission Main Pipeline Construction from west of Nebraska City to the Nebraska City OPPD Power Station several years ago.

Respectfully submitted,

BOARD OF PUBLIC WORKS

  
\_\_\_\_\_  
John James, Secretary

\_\_\_\_\_  
I hereby certify that the approval of the City Commission of the City of Nebraska City, Nebraska, for the above recommendation was granted at their meeting on:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Randy Dunster, City Clerk/Treasurer

# CITY OF NEBRASKA CITY

City Hall  
1409 Central Avenue  
Nebraska City, NE 68410  
402-873-5515



Randy Dunster, City Clerk-Treasurer

---

June 20, 2016

This is to certify that the City Council of the City of Nebraska City, State of Nebraska duly appointed Leroy Frana to serve as director to represent the City of Nebraska City on the Board of Directors of the Municipal Energy Agency of Nebraska. The appointment will run for a term of three (3) years with the powers and duties incident to such office. This certificate is issued in compliance with the Municipal Cooperative Financing Act contained in the Nebraska Revised Statutes §18-2401 et seq. (1987).

This is to certify that the City Council of the City of Nebraska City, State of Nebraska duly appointed Dan Patton to serve as alternate director to represent the City of Nebraska City on the Board of Directors of the Municipal Energy Agency of Nebraska. The appointment will run for a term of three (3) years with the powers and duties incident to such office. This certificate is issued in compliance with the Municipal Cooperative Financing Act contained in the Nebraska Revised Statutes §18-2401 et seq. (1987).

*This is to certify that the appointments set out above were approved by the City Council of the City of Nebraska City, State of Nebraska, at their meeting on June 20<sup>th</sup>, 2016.*

---

Randy Dunster  
City Clerk-Treasurer

# CITY OF NEBRASKA CITY

1409 Central Avenue

Nebraska City, NE 68410-2223

Phone: 402-873-5515

Fax: 402-873-5685



## Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: 6-20-16

Agenda Item: # \_\_\_\_\_

Submitted By: Ted Beilman

**A. Synopsis of Issue:**

- a. Resolution 2708-16 to approve a \$12,500 rural business development grant for the Memorial Building from the USDA rural development grant program. This Resolution is to comply with the USDA's formal process as the Grant application was previously approved by the City Council on February 15, 2016.

**B. Options:**

**C. Fiscal Note:**

- a.

**D. Recommendation:**

- a. Approve Resolution 2708-16
- b. **Recommended Motion:**
  - i.

**E. Background:**

- a.

\*\*\*\*\*

**Department Heads:** Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.

Nebraska City  
RESOLUTION NO.2708-16

RESOLUTION OF THE CITY COUNCIL OF NEBRASKA CITY FOR A  
\$12,500 RURAL BUSINESS DEVELOPMENT GRANT FROM THE USDA  
RURAL DEVELOPMENT GRANT PROGRAM

WHEREAS, the City of Nebraska City (hereinafter called Grantee has applied for a Rural Business Development Grant in the amount of \$12,500, from the United State of American, acting through Rural Development ("the agency"), United State Department of Agriculture acting under the provisions of the rural Business Development Grant Program (7 C.F.R. Part 4280, Subpart E) for the purpose of a Memorial Building Renovation Strategic/Business plan. (herein referred to as the Facility)

WHEREAS, as a condition to and in consideration of receiving financial assistance in the form of a Rural Business Development Grant from the agency, this Resolution is being adopted.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY in consideration of the premise, Grantee agrees as follows:

- (1) The Grantee hereby applied for, approves and will accept a Rural Business Development Grant in an amount not to exceed \$12,500 in accordance with the terms specified in the Application for Federal Assistance (Form SF 424).
- (2) The Mayor and Council of Nebraska City, Nebraska are hereby authorized to apply for, approve, accept and take all actions necessary to obtain and complete the requirements of the Rural Business Development Grant under the terms offered by the agency.

This resolution shall be in force and effect immediately.

The voting was Yes: \_\_\_\_\_, No: \_\_\_\_\_, Absent \_\_\_\_\_

SEAL

City of Nebraska City Nebraska

\_\_\_\_\_  
Date: \_\_\_\_\_  
Gloria Glover, Finance Commissioner

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
Randy Dunster, City Clerk-Treasurer

**CERTIFICATION**

I, THE UNDERSIGNED City Clerk-Treasurer of the City of Nebraska City Nebraska do hereby certify that the foregoing Resolution No.2708-16 was duly adopted at a meeting of the City Council of Nebraska City duly called and held on the 20<sup>th</sup> day of June, 2016, and that such Resolution has not been rescinded or amended in any way. Dated this 20<sup>th</sup> day of June, 2016,

City Seal

\_\_\_\_\_  
Randy Dunster, City Clerk-Treasurer

Nebraska City  
Backup information for Resolution No. 2708-16

The United States Department of Agriculture (USDA) has requested a formal resolution from the Council concerning the Rural Business Development Grant that was submitted on May 26<sup>th</sup> of 2016.

The council discussed this grant application at the February 15, 2016 meeting and voted unanimously to allow for the submission of the grant request of up to \$20,000. The application was submitted to the USDA for \$12,500 for a Memorial Building Strategic/Business Renovation Plan grant. The application included the minutes of the meeting that showed the councils support for the grant application. The USDA, however, needs a formal resolution included with the application before a final score can be given to the grant request.

The USDA also made several recommendations that would help the application and requested that any addendums to the application be submitted no later than Monday, June 20<sup>th</sup>. The USDA suggested additions were made to the application this week.

The only request made by the USDA that needs council action is this resolution. The USDA also provided a recommended sample resolution.



**City of Nebraska City**

1409 Central Avenue  
Nebraska City, NE 68410-2223

**HOME OF ARBOR DAY**

Phone: 402-873-5515 Fax: 402-873-5685

**REQUEST FOR COUNCIL AGENDA OR PUBLIC INFORMATION / RECORDS**

*Your request will be reviewed and possibly scheduled for a future meeting,  
or forwarded to City Staff for appropriate action\**

Name: Ted Beilman  
Address: 206 S 7th St  
Phone #: 907-229-4539  
Email Address: Tbeil12345@aol.com

CC: Police Dept.: \_\_\_\_\_ Street Dept.: \_\_\_\_\_ Park Dept.: \_\_\_\_\_ Other: \_\_\_\_\_

**Item Title:** USDA Rural Business Development Grant Application

**Explanation of Request:**

Give permission for Nebraska City Veterans Memorial Building Project.  
to apply for a USDA Rural Development Grant under the name of the  
City of Nebraska City.

**Action Requested of Council:**

Vote to allow the application process to go forward.

**Will this item require the expenditure of funds? Yes: No: ☒ Estimate \$**

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**\*You will be notified as to how your request will be handled as soon as possible.**

**For staff use only: Action Required.**

**Examination of Public Records are covered under Neb. Rev. State. §84-712 or other appropriate state statutes.**

Fees: \$0.25 per page

Nebraska City

# CITY OF NEBRASKA CITY

1409 Central Avenue

Nebraska City, NE 68410-2223

Phone: 402-873-5515

Fax: 402-873-5685



## City Council Meeting

February 15, 2016 - 6:00 p.m.

Moved by Stark and seconded by Johns to approve the request from Ted Beilman for permission to file for a USDA Rural Development Grant not to exceed \$20,000.00 for the Nebraska City Veterans Memorial Building project and for the City to act as a conduit for the funds. Ted Beilman explained the grant. Upon roll call, the following voted YES: Crunk, Glover, Johns, Stark and Mayor Bequette. Voting NO: None. Motion carried.

## AFFIDAVIT

I, the undersigned City Clerk for the City of Nebraska City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Board of Commissioners, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

  
Randy A. Dunster, City Clerk-Treasurer



protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

## Nebraska City

### **TIMOTHY C. PENDRELL**

707 Central Avenue · Nebraska City, NE 68410  
402-707-4568 · tpendrell@gmail.com

Grayson Path  
City Administrator  
1409 Central Avenue  
Nebraska City, NE 68410

Dear Grayson,

For Monday's City Council Meeting we'd like to request permission to apply for a USDA Rural Business Development Grant for the purpose of a strategic plan for the Memorial Building and Culinary Incubator under the City's name. This grant will commit the city to no funds, but if awarded would help to develop a strategic/business plan for the Memorial Building. The USDA will only have around \$20,000 available to grant out in the state and this project does qualify. We're hoping the city can act as an agent to pass the grant like has been done for the downtown mural project, flower basket project, the Enchanted Arboretum, and some other projects.

We have developed a not-for-profit that is registered with the State of Nebraska for the purpose of redeveloping the Memorial Building, but we are currently 501(c)3 pending with the IRS. We need the help of the City while we are awaiting our 501(c)3 status which, once awarded, will allow us to apply for grants and collect on pledges that have been made. The deadline for an initial application for this USDA grant is February 28th and we want to be able to make the deadline. The purpose of the Strategic Plan will be to create the roadmap of how to move forward. We've identified potential funding for more than 50% of the project's total cost and have a pretty good idea of where the rest is going to come from, but we don't want any mistakes. The strategic plan will help us identify sustainable earned-revenue to support the Memorial Building without the need for annual subsidies, and develop the phasing for the project. This information will be critical in fundraising and meeting our goal of having construction begun in 2017 as part of the State's 150th Birthday Celebrations.

The support of the City Council will be appreciated.

Sincerely,  
Tim C. Pendrell





## Rural Business Development Grant Project Proposal Form for FY 2016

The project proposal process will allow USDA Rural Development to provide assistance to potential applicants on a one to one before completing a full application. The project proposal process can assist in determining eligibility status of applicants, eligibility of proposed budget and eligibility of proposed activities.

### RBDG funds may not be used for the following:

- Duplicate current services or substitute support previously provided.
- Pay for the costs of preparing the application package or pay for any expenses incurred prior to receipt of a full application. (Written notification of receipt of a full application will be provided.)
- To cover costs incurred by the applicant to train their staff.
- To pay for expenses incurred by the business being assisted.
- To fund political activities.
- To fund traditional agricultural production.
- To pay for assistance to any private business enterprise which does not create and/or support jobs in the United States.
- To provide food, childcare, or to provide assistance to anyone less than 18 years of age.
- To pay any judgement or debt owed to the United States.

**Project proposal deadline; received by USDA Rural Development by close of business, 4:30 pm, Friday, February 26, 2016.**

The project proposal form should be sent by email to the following address: [brant.richardson@ne.usda.gov](mailto:brant.richardson@ne.usda.gov)

To discuss applicant or project eligibility please contact one of following State Office Business Programs Specialists.

- Brant Richardson, [brant.richardson@ne.usda.gov](mailto:brant.richardson@ne.usda.gov) or (402) 437-5568
- Deborah Drbal, [deborah.drbal@ne.usda.gov](mailto:deborah.drbal@ne.usda.gov) or (402) 437-5558

The full application process will follow the project proposal review. Applicants will be contacted regarding their project after the Agency's review. Full applications will be due by close of business, 4:30 pm, on Friday May 27, 2016.

Rural Development • Nebraska  
100 Centennial Mall North, Suite 308, Lincoln, NE 68508  
Voice (402) 437-5551 • Fax (855) 207-0384

USDA is an equal opportunity provider, employer, and lender.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (PDF), found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close.

**ORGANIZATION INFORMATION:**

Legal Name: \_\_\_\_

Tax ID: \_\_\_\_

DUNS Number: \_\_\_\_

CAGE Code: \_\_\_\_

*Obtain a free DUNS number by calling 1-800-234-3867 or go to: <http://fedgov.dnb.com/webform>**Register for free CAGE Code at the SAM website: <https://www.sam.gov/portal/public/SAM/>*

Address: \_\_\_\_

City: \_\_\_\_

Zip: \_\_\_\_

County: \_\_\_\_

**Organization Type:**☐ Public Body or Government Entity☐ Indian Tribe☐ Non-Profit Entity**CONTACT INFORMATION:**

First Name: \_\_\_\_

Last Name: \_\_\_\_

Title: \_\_\_\_

Phone Number: \_\_\_\_

E-Mail Address: \_\_\_\_

**PROJECT DESCRIPTION:**

Area the Project will serve, be specific: \_\_\_\_

**Names of the specific businesses to be assisted, number of jobs created/supported for each business:**

Name of Business: \_\_\_\_

Location: \_\_\_\_

Jobs Created: \_\_\_\_

Jobs Supported: \_\_\_\_

Name of Business: \_\_\_\_

Location: \_\_\_\_

Jobs Created: \_\_\_\_

Jobs Supported: \_\_\_\_

Name of Business: \_\_\_\_

Location: \_\_\_\_

Jobs Created: \_\_\_\_

Jobs Supported: \_\_\_\_

Name of Business: \_\_\_\_

Location: \_\_\_\_

Jobs Created: \_\_\_\_

Jobs Supported: \_\_\_\_

Name of Business: \_\_\_\_

Location: \_\_\_\_

Jobs Created: \_\_\_\_

Jobs Supported: \_\_\_\_

**Proposed use of Grant Funds:** Please limit your project description to one page. You must show the project's direct connection to the small and emerging private business (es).

---

(Start new page)

**FUNDING REQUEST:**

Total Project Cost:     \_\_\_  
 Federal - (RBDG):       \_\_\_  
 Federal - (Other):       \_\_\_  
 Applicant:               \_\_\_  
 State:                   \_\_\_  
 Local:                   \_\_\_  
 Other:                   \_\_\_  
 Program Income:       \_\_\_

Please explain "Other" if in excess of \$100.00, if more than one "other" list each separately.

**Project Budget Summary**

Summarize the total project budget by task. Insert additional rows as needed.

Task #	Task Name, Description, and Responsible Party	RBDG Funds	Cash Matching Funds	In-Kind Matching Funds	3 <sup>rd</sup> party funds as noted above	Total Project Costs
	<b>TOTAL PROJECT</b>	\$	\$	\$		\$

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(Start new page)

**Task Budget Format**

Provide a budget table for each task listed above.

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# Nebraska City

## Rural Business Development Grant Project Proposal - 4

Add additional task tables as needed. For contractual and other explain. If more than one contract list each separately.

Contributions of any kind from the business being assisted are not acceptable. RBDG project will not exceed a 12 month timeline; matching contributions (cash or in-kind) must be used during the project period. For more information on Cost-Sharing or Matching see 7 CFR Subpart G; <http://www.gpo.gov/fdsys/pkg/CFR-2012-title7-vol15/pdf/CFR-2012-title7-vol15-part3015.pdf>

**Provide explanation/clarification of the basis for the budget figures, budget categories in excess of \$100.00 must be defined, "other" is not sufficient.**

Task #1 Budget Categories	RBDG Funds	Cash Matching Funds	In-Kind Matching Funds	3 <sup>rd</sup> party funds as noted above	Total Cost Task #1
Personnel					
Fringe Benefits					
Travel					
Office Equipment					
Supplies					
Contractual					
Contractual					
Other					
Other					
<b>Total</b>	\$	\$	\$		\$

**Insert task budget explanation here (beneath each task).**

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# CITY OF NEBRASKA CITY

1409 Central Avenue

Nebraska City, NE 68410-2223

Phone: 402-873-5515

Fax: 402-873-5685



## Agenda Information Support Sheet

To: Mayor and Commissioners

Council Meeting: June 20, 2016

Agenda Item: # \_\_\_\_\_

Submitted By: Grayson Path, City Administrator

### A. Synopsis of Issue:

- a. The Emerald Ash Borer has been found within the State of Nebraska.
- b. The City has numerous Ash Trees in town.
- c. A tree inventory was performed several years ago which we believe should give the City details on where and how many Ash Trees are in town. Rob Schreiner is currently pursuing this information with the intent of having it ready for the Council meeting.
- d. It is recommended that the City Council have a discussion about this coming issue.
- e. Rob Schreiner, as a certified tree arborist, has been asked to come and discuss this issue with the City Council.

### B. Options:

- a. This is a discussion item at this time.

### C. Fiscal Note:

- a. Golf Course Superintendent was recently given an estimate of \$6/inch of circumference for treating trees at the golf course. This can be used as a baseline for estimations in the future.
- b. Various different types of treatment options that Rob Schreiner can discuss with the Council.

### D. Recommendation:

- a. Discuss this topic.
- b. Request whatever information you deem necessary – provide staff and/or Tree Board with guidance.

### E. Background:

- a. The City of Nebraska City is home of Arbor Day.
- b. There are many Ash Trees in the City ROW that will need to be addressed prior/once the Ash Borer arrives.
- c. This item on the agenda is for the purpose of having a discussion at a Governing Body level.

\*\*\*\*\*

Department Heads: Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.

# CITY OF NEBRASKA CITY

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## Agenda Information Support Sheet

**To:** Mayor and Commissioners

**Council Meeting:** June 20, 2016

**Agenda Item:** # \_\_\_\_\_

**Submitted By:** Grayson Path, City Administrator

### A. Synopsis of Issue:

- a. The City has taken part in the NDED's Comprehensive Investment & Stabilization (CIS) program, which took the form of Nuckolls Square and Kearney Hill Road.
- b. NDED has announced its next round of programming in the form of the Comprehensive Development (CD) program. We are no longer using the CIS.
- c. The CD is very similar to the CIS.
- d. City Staff would like to request City Council's approval to prepare an application for Phase I funding.
- e. SENDD served as the Administrator for the CIS program, recommended that SENDD continue to be used for the CD program.
- f. At a future point, the City will need to create an Advisory Committee to meet the NDED requirements and steer the project through Phase I.
- g. See the background for additional notes.

### B. Options:

- a. Authorize SENDD and City Administrator to create the needed application. Mayor, Street Commissioner Vic Johns and City Administrator can begin developing an Advisory Committee.
- b. Disallow the creation of the application or request someone else create the application other than SENDD.
- c. Other – Please advise.

### C. Fiscal Note:

- a. No cost in preparing the NDED CD Phase I application due September 15<sup>th</sup> as this is part of the City's annual SENDD dues.

### D. Recommendation:

- a. Authorize SENDD and City Administrator to create the needed application. Authorize Mayor, Street Commissioner Vic Johns and City Administrator to begin developing an Advisory Committee.

### E. Background:

- a. Phase I – Application for funding due September 15, 2016.
  - i. Phase I funding, if application is approved, will be for maximum of \$30,000.00 + 25% match + 25% leverage (\$7,500.00 each).
  - ii. Creation of the NDED Planning Document
  - iii. Advisory Committee meetings
  - iv. Public Involvement

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Nebraska City

- v. Development of Preliminary Estimates for projects by Engineering firm
- vi. To be completed by Phase II application deadline = July 31, 2017.
- b. Phase II – Application for funding due July 31, 2017.
  - i. Implementation of approved projects.
  - ii. Preliminary and Final Design of projects.
  - iii. Construction of projects.
  - iv. \$350,000.00 pieces (x2) for a total of \$700,000.00 – either two different projects or one large project.
  - v. 1:1 Match, thus upwards of \$1.4 million project
- c. Eligible Programs:
  - i. Roads/Bridges
  - ii. Storm Sewer Improvements
  - iii. Accredited Libraries
  - iv. Neighborhood Parks
  - v. Historic Restoration

\*\*\*\*\*

**Department Heads:      Submit this form to Dave Partsch and Grayson Path by 5:00 pm of the day the Agenda meeting is held.**



## Nebraska City

### Grayson Path

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**From:** Judi Meyer <jmeyer@sensdd.org>  
**Sent:** Tuesday, March 22, 2016 1:15 PM  
**To:** Grayson Path  
**Cc:** Dan Giittinger  
**Subject:** new CIS application information  
**Attachments:** dpi300\_NebraskaCitycity LMI map.pdf

Grayson:

I couldn't find any TIF or Slum/Blight maps here. Hopefully you can locate them there.

Here's the information on the new CIS application:

**OVERVIEW:** The purpose of the Comprehensive Development (CD) Program Category is to provide flexible investments in housing and infrastructure to carry out a comprehensive strategy of revitalization to stabilize, support, and enhance clearly defined residential neighborhoods with concentrations of persons with lower incomes. The focus is to foster a greater capacity for local community and economic development initiatives that will carry out an enhanced and stable comprehensive revitalization strategy principally benefiting low/moderate income residents of the community. The CD Program combines the Comprehensive Revitalization (CR) and Comprehensive Investment & Stabilization (CIS) into a single, competitive program.

**ELIGIBLE BENEFICIARIES:** Activities completed within the CD project must be located in the LMI neighborhoods selected for the program based on income surveys conducted and include activities that will benefit the LMI persons within the neighborhoods. In addition, activities that are adjacent to the neighborhood sites or provide a clear benefit to the LMI persons in the neighborhoods identified for the program may also be eligible, but will depend on the nature of activities proposed. The proposed activities for the program may be broad in nature and should include both public and private activities.

**ELIGIBLE ACTIVITIES:** Activities funded within the CD Program Category include those identified as State CDBG Priorities in the Housing, Public Works, and Planning Program Categories. The eligible activities must substantially benefit the LMI-designated service area directly and not only benefit persons on a community-wide scale or only benefit those beyond the designated LMI service area substantially.

The following activities are eligible within the CD Program. If any activity is not noted within the list below, please consult the DED Primary Contact, or another CDBG Program Representative, in order to determine if any other proposed activities are eligible for the program.

- housing rehabilitation or homebuyer assistance programs;
- neighborhood centers or senior centers of a single or multipurpose nature designed to provide public recreational and social activities;
- nonprofit centers for day care, dependent care, primary health and mental health care outpatient clinics (excluding shelters defined as: hospitals, nursing homes, convalescent homes, battered spouse shelters, shelters for the homeless, halfway houses, group homes, temporary housing);
- accredited public libraries;
- single or multi-service fire/rescue buildings (fire trucks are specifically considered "public facilities" and thus eligible);

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## Nebraska City

- removal of architectural barriers for accessibility;
- water distribution (only if system service connections are or will be metered) and/or sanitary sewer collection system improvements (lines on private property are eligible under LMH national objective);
- bridge and/or street improvements including curb, gutter, and sidewalk;
- storm sewer improvements;
- flood control (designed to influence or affect the flow in a natural water course such as a river, stream or lake);
- drainage improvements (i.e. retention ponds or catch basins);
- and tornado-safe shelters in manufactured home parks (containing not less than 20 manufactured housing units that are within such proximity of shelter to be of use in a tornado);
- neighborhood parks (a new facility/improvement or a quantifiable increase of an existing facility/improvement);
- analyses of impediments and barriers to fair housing choice;
- neighborhood/comprehensive/strategic pre-development studies; functional or special pre-development studies for: housing, downtown revitalization, energy conservation and transportation; environmental, heritage tourism, and historic preservation studies;
- loans to businesses located in the designated downtown business district for façade improvements;
- loans to businesses located in the designated downtown business district to improve deficiencies in meeting community codes;
- historic restoration, rehabilitation, housing conversion of upper stories, and preservation for physical structures, and infrastructure in a defined downtown business district.
- acquisition, clearance, and code enforcement activities may be undertaken only when in support of any of the above mentioned activities.

**INELIGIBLE ACTIVITIES:** The following activities are ineligible within the CD Program. If any activity is not noted within the list below, and is not listed as an eligible activity, please consult a CDBG Program Representative in order to determine if any other proposed activities are eligible for the program.

- Buildings, or portions thereof, used predominantly for the general conduct of government cannot be assisted with CDBG funds.
- General government expenses cannot be paid with CDBG funds, except for documented local government administration of the CDBG project.
- CDBG funds cannot be used to pay for facilities or equipment used for political purposes or to engage in other political activities.
- The purchase of equipment with CDBG funds is generally ineligible.
- any expense associated with repairing, operating or maintaining public facilities, improvements and services are generally ineligible.
- CDBG funds cannot be used for income payments for housing or any other purpose. Examples of ineligible income payments include: payments for income maintenance, housing allowances, down payments, and mortgage subsidies. One time payments made on behalf of persons or families to meet emergency needs such as housing or essential utilities is not an income payment and is eligible.
- New residential construction activities, or other activities associated with new residential construction, unless associated with "Last Resort Housing" as defined in 49 CFR 24.404 which relates to construction of new housing units as a last resort for providing replacement housing for persons displaced as a result of CDBG-assisted activities.

**Grant Amount:** The maximum grant amount for CD activities will be \$30,000 for Phase I (Pre-Development) and \$700,000 for Phase II (Implementation) with \$350,000 being provided during the first allocation of implementation funding and \$350,000 being provided for the second allocation of funding. The cost per resident beneficiary for infrastructure (PW eligible activities) cannot exceed \$3,000.

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## Nebraska City

### Match and Leverage Requirements:

For Phase I, all activities, except general administration, require 25% match and 25% leverage. Proposed leverage must be from CDBG eligible activities directly related to the proposed project(s) in the same neighborhood or directly benefiting a substantial majority of the LMI persons or families residing within the neighborhood during the grant award period.

Consideration for match and leverage will be given for such sources as public/private funds, or in-kind services such as materials, labor, or other items that are directly related to the project.

### DEADLINE DATES:

Phase I (Pre-Development) Applications Due	September 15, 2016
Phase II (Implementation) Year 1 Applications Due	July 31, 2017
Phase II (Implementation) Year 2 Applications Due	TBD

Judi Meyer Program Manager

# SEND

Southeast Nebraska Development District  
2631 "O" Street | Lincoln, Nebraska 68510  
P: 402.475.2560 | F: 402.475.2794  
[jmeyer@sendd.org](mailto:jmeyer@sendd.org) | [www.sendd.org](http://www.sendd.org)

"Supporting Quality of Life through Community and Economic Development"

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